

CITY OF ROCKWALL

ORDINANCE NO. 25-59

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, BY AMENDING ARTICLE 11, *DEVELOPMENT REVIEW PROCEDURES*, AS DEPICTED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Rockwall, Texas adopted the Unified Development Code [Ordinance No. 20-02] on February 3, 2020 and the Unified Development Code (UDC) has been amended over the years to improve efficiency and ensure the safe, orderly and efficient development and expansion of the City of Rockwall in accordance with and pursuant to its Comprehensive Plan, Master Thoroughfare Plan, and Master Trail Plan; and,

WHEREAS, the City Council has determined that applicants of development cases that are scheduled to appear before the Planning and Zoning Commission, the Historic Preservation Advisory Board, the Board of Adjustment or the City Council that fail to attend the scheduled meeting/hearing where their application is being considered, be denied their application unless good cause is shown for their failure to appear;

WHEREAS, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the city's corporate boundaries, and the governing body in the exercise of its legislative discretion, has concluded that the Unified Development Code [Ordinance No. 20-02] should be amended as follows:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS:

SECTION 1. FINDINGS OF FACT. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. AMENDMENT. That Article 11, *Development Applications and Review Procedures*, of the Unified Development Code [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended as specifically described in *Exhibit 'S'* of this ordinance;

SECTION 3. PENALTY OF FINE. That any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offense and each and every day such offense shall continue shall be deemed to constitute a separate offense;

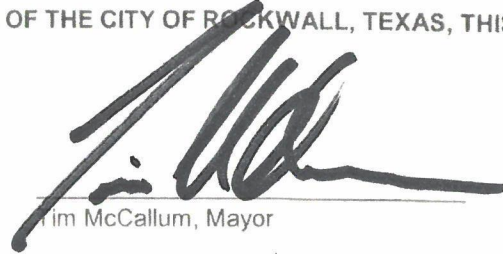
SECTION 4. REMAINING PROVISIONS UNCHANGED. That if any section, paragraph, or provision of this ordinance or the application of that section, paragraph, or provision to any person, firm, corporation or situation is for any reason judged invalid, the adjudication shall not affect any other section, paragraph, or provision of this ordinance or the application of any other section, paragraph or provision to any other person, firm, corporation or situation, nor shall adjudication affect any other section, paragraph, or provision of the Unified Development Code [Ordinance No. 20-02], and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions for this ordinance are declared to be severable;

SECTION 5. EFFECTIVE DATE. That this ordinance shall take effect immediately from and after its passage.

SECTION 6. OPEN MEETINGS. It is hereby officially found and determined that the meeting at which

this Ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

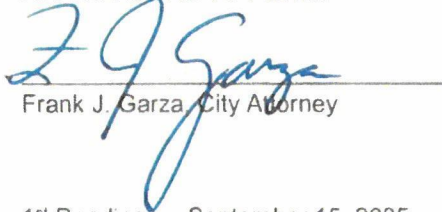
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF OCTOBER, 2025.


Tim McCallum, Mayor

ATTEST:


Kristy Teague, City Secretary

APPROVED AS TO FORM:


Frank J. Garza, City Attorney



1st Reading: September 15, 2025

2nd Reading: October 6, 2025

Exhibit 'A'
Article 11, Development Applications and Review Procedures, of the
Unified Development Code (UDC)

CITY OF ROCKWALL | UNIFIED DEVELOPMENT CODE



SECTION 01 | GENERAL

SUBSECTION 01.01: PRE-APPLICATION MEETING

An applicant proposing to [1] establish a land use requiring a Specific Use Permit (SUP) on a property or properties, [2] the subdivision or assembly of property or properties, [3] the change in zoning classification of a property or properties, or [4] any other development related activity in the City of Rockwall is encouraged to request a Pre-Application Meeting with the Development Review Committee (DRC). Prior to a Pre-Application Meeting, the applicant should submit a Pre-Application Meeting Request form and provide a concept plan showing the proposed development activities in as much detail as possible. Based on the information provided by the applicant, the DRC will provide initial comments concerning the merits of the proposed development and inform the applicant of any additional requirements that will need to be addressed in the preparation of a development application.

SUBSECTION 01.02: SUBMISSION OF AN APPLICATION

- (A) Authority to Submit an Application. Unless otherwise stated in this Article, the following shall apply when submitting an application for a request:
- (1) Development Application. All zoning, site plan, platting, and miscellaneous cases shall be initiated by the owner of the affected property or his/her authorized representative who files a Development Application and pays the appropriate fee.
 - (2) Historic Preservation Advisory Board Application. All Certificate of Appropriateness (COA), small matching grant, and building permit fee waiver requests shall be initiated by the owner of the affected property or his/her authorized representative who files a Historic Preservation Advisory Board Application.
 - (3) Board of Adjustments Application. All variance and special exceptions to be considered by the Board of Adjustments (BOA) shall be initiated by the owner of the affected property or his authorized representative or any aggrieved party who files the required application and pays the appropriate fee, or by any person aggrieved by the decision of an administrative officer with authority over any matter that can be appealed to the Board of Adjustments (BOA) per [Subsection 04.03, Jurisdiction, of Article 02, Development Review Authority](#), by an officer of the City, or appropriate board/commission of the City.
- (B) Ownership. In the event that the ownership stated on an application is different than the ownership shown on the City's Certified Tax Roll, the Director of Planning and Zoning may require additional written proof of ownership be provided with an application.
- (C) Submission Development Application. All application requests to be considered by the Historic Preservation Advisory Board (HPAB), Board of Adjustments (BOA), Planning and Zoning Commission and/or the City Council, shall be initiated by filing an application with the Director of Planning and Zoning or his/her designee. All applications shall be required to be submitted on the official submittal date. Applications received on a date other than an official submittal date shall not be accepted and shall be returned to the applicant.

- (D) Completed Application. To ensure the submission of adequate information, the Director of Planning and Zoning is hereby empowered to maintain and distribute a list of specific submittal requirements that constitutes a completed application. Any application that does not provide all items required by the Director of Planning and Zoning shall be considered to be incomplete, and shall not be accepted by the City. These requirements may be modified by the Director of Planning and Zoning as deemed necessary.
- (E) Plans and Exhibits. All plans, surveys, plats, and/or other exhibits submitted as part of any application shall be prepared by a registered architect, engineer, landscape architect, surveyor, planner, or other design professional.

SUBSECTION 01.03: APPLICATION WITHDRAWAL

Any request for the withdrawal of an application must be submitted in writing to the Director of Planning and Zoning or his/her designee. If an application requires notice to be published in the newspaper and/or notifications of a public hearing sent to affected property owners, such request for withdrawal of an application must be placed on the public hearing agenda and acted upon by the applicable body. In all requests for withdraw, application fees will not be refunded except in cases where the Director of Planning and Zoning determines that an application was [1] submitted in error, or [2] the fee paid exceeds the amount due under the provisions of [Section 10, Fee Schedule](#). In cases where the fee paid exceeds the amount due, only the amount of the overpayment may be refunded.

SUBSECTION 01.04: DENIAL OF AN APPLICATION

- (A) Denial with Prejudice. Unless otherwise stated in this Article, if an application for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver is denied with prejudice by the Historic Preservation Advisory Board (HPAB), Planning and Zoning Commission, or City Council, a new application for the same request may not be submitted for the same lot or tract of land -- or any portion thereof -- for a period of one (1) year unless the request is deemed to be more restrictive or less intense than the previously denied request. A failure to indicate that a denial is with or without prejudice, in making a motion to deny, shall be consider a denial with prejudice.
- (B) Administrative Denial. Alternatively, should an applicant fail to address staff's comments before the resubmittal deadline prior to the Planning and Zoning Commission meeting, the application shall be considered to be admiratively denied. If an application is denied in this manner it shall be considered to be denied without prejudice, and there shall be no restrictions on when a new application can be resubmitted; however, new applications will be required to be submitted in accordance with the City's procedures for submitting development applications.
- (C) Failure to Appear. Failure of the applicant to appear before the City Council, Planning and Zoning Commission, Historic Preservation Advisory Board (HPAB), or Board of Adjustments (BOA) for any hearing without an approved delay from the Director of Planning and Zoning or his/her designee shall constitute sufficient grounds for the City Council, Planning and Zoning Commission, Historic Preservation Advisory Board (HPAB), or Board of Adjustments (BOA) to deny the application.

ARTICLE 11 | DEVELOPMENT APPLICATIONS AND REVIEW PROCEDURES

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